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In the case of the Acts more recently promulgated, and those of narrow scope, the annotations are not extensive; but the annotations to the commercial laws by which the work of the Commissioners is best known, consisting of the citation of all decisions on the various sections, are extensive, since the editor's aim has been to make the book exhaustive in this particular. The labor involved in collecting these decisions, and the value of the work, are quite out of proportion to the bulk of the volume.

The Negotiable Instruments Law has been enacted in every state but Georgia and Texas; the Warehouse Receipts Act in nearly as many; the Sales Act in almost all the northern commercial states, and in several others. The Stock Transfer Act, the Bills of Lading Act, the Partnership Act, have also been adopted in many states, and the number is steadily increasing.

No lawyer in practice where these statutes are in force can afford to be without this volume. The author's name is a guaranty of the care and ability with which the work has been done. No one has done more than he for the cause of Uniform State Laws. He has been a Commissioner during the period when all but three of the statutes which he prints were promulgated. For three years he was President of the National Conference of Commissioners; and his energy, sound judgment and learning have at all times been at the service of the work.

The statutes are carefully indexed, and are provided with tables showing the statutory citation of each section of each statute in every state where the Act has been enacted.

It is to be hoped that this book will be not simply a convenient tool for the practitioner, but will also fulfil the object which its editor had in mind of promoting the cause of Uniform State Laws. This is desirable not only for more obvious reasons, but to diminish the tendency and apparent necessity of extending or amending the United States Constitution to cover all questions where a uniform rule throughout the country is desirable.

It goes without saying that merely enacting uniform statutes will not secure uniform law, unless there is uniform construction of the statutes. Each of the Uniform Acts, except a few of the earlier ones, has contained the provision that the Act shall be so construed as to effectuate its purpose of making uniform the law upon the subject in the several states which enact the statute. This provision is designed to substitute for the ordinary canon of construction that a statute will be construed with reference to the previous common law of the state, a wider principle which will give to decisions of one state upon a question involving a uniform state law the strongest persuasive authority in the courts of another state when the question there arises. This principle of construction has been approved by the Supreme Court of the United States in *Commercial Nat. Bank v. Canal-Louisiana Bank*, 239 U. S. 520.

We have nothing but commendation for the plan of the book and for the way that the plan has been carried out.

S. W.

WATER RESOURCES, PRESENT AND FUTURE USES. By Frederick Haynes Newell, D. Eng., Professor of Civil Engineering and Head of the Department, University of Illinois. (A revision of the addresses delivered in the Chester S. Lyman Lecture Series, before the Senior Class of the Sheffield Scientific School, Yale University.) New Haven: Yale University Press. 1920. pp. 310 (including preliminary matter, photographs and index).

The author is one of the nation's eminent civil engineers. His service as former Director of the United States Reclamation Service is well known. The book is a carefully analyzed presentation of stream flow, reservoir structure,

hydrology and scientific information upon water resources, presented for popular reading and to cultivate public sentiment for public improvements; very readably written, without incumbrance of references. It is at its best in depicting the ingenuity of engineers and the physical difficulties which they have met and surmounted.

The portions for a law review are the opening and closing chapters, reflecting the attitude of engineers toward the condition of the law. Among occasional comments in the rest of the book may be noted the confidence expressed in the impartiality and validity of the conclusions reached, from conflicting expert testimony, by the court in the Miami Flood cases (pages 146-47). The attitude of the author toward the law is, however, mainly critical; the rules of law are "artificial relations," "obstacles erected by man" which "block his (the engineer's) way," as "invisible walls," leaving him in "chaos" (e.g., pages 39, 292).

Lawyers will admit that the law has its shortcomings; but we cannot admit, as the engineers are in the habit of charging, that in comparative efficiency the law as a whole is below engineering. The same comment would apply to the book in the same series written by Professor Swain, of Harvard ("Conservation of Water by Storage," 1915, Chester S. Lyman Lecture Series of 1914). The best defense being a stout lance, we might reply that engineers think upon the basis that the natural resources should be at their disposal to handle without the restraint of law, according to their judgment of "the greatest good of the greatest number"; and if that power is granted to engineers, the transportation and food industries can be claimed for the same purpose by the labor interests. The further one gets into the law, the more it seems that the engineers' criticisms are less a criticism of the law than impatience with men for requiring to be restricted by law.

The word "reconstruction" is used by the author as synonymous with "conservation" as formerly used, and both are used as receptacles for unalloyed good, free of all impurities (see pages 25-31, 190); "the greatest good for the greatest number," "reconstruction" of man, things, laws "from the ground up." Although published in 1920, the lectures were given in 1913, and the Russian experience of remaking the world may raise some skepticism in the reader; but assuming that we go through such reconstruction, the influence of water resources thereon would still, if we may be permitted the suggestion, seem to be somewhat over-emphasized by the book (e.g., p. 30). Mr. Pinchot sought to control the nation's destiny by controlling the forests; wood and water alike ramify through all human activities, but beyond a certain point the relation becomes too remote to be credited to either. Similar considerations may be illustrated by some sentences condensed from Angell's preface to the first edition of the first American law book upon waters. "At a very early period" (he says), "as well as at the present day, the human mind was employed in observing and admiring these aqueous circulations of nature. 'Where a spring rises or a river flows' (says Seneca), 'there we should build altars and offer sacrifices.' And who has not perused the ode of Horace to the fountain of Blandisium? Or the address of Petrarch to that of Vacluse? With what elevation and sublime emotions do we contemplate the rivers of our own country? How frequently do we ramble in imagination, till the mind is confounded in the mazes of its own wanderings" etc. (Angell, *Water-courses*, 1st ed. (1824), preface.) In the march of social progress, inland waters will, of course, be essential; but so will many other things. At present the development of oil resources seems to be exercising more influence.

In a book emphasizing the social aspects, it is unexpected to see the adoption of the point of view that "we may properly consider it [water] as a mineral, a portion of the rocky crust of the earth" (page 36), which the social objects to be attained require to be denied. (22 HARV. L. REV. 100; 27 HARV. L. REV.

530. Compare Mr. Newell's page 293). In regard to relative social importance of uses, Mr. Newell (pp. 38, 179-180) ranks them: (1) drink, (2) food by irrigation, (3) sewage, etc., (4) manufacturing and power, (5) transportation. But engineers make slips in social outlook as well as lawyers. We read that the present tendency is that "one simple procedure is followed day and night continuously for months from the time the structure is started until it is finished" (page 139), which is not elevating for the individual who does it. And the engineers seem to discuss (without Mr. Newell's approval, however) the valuation of a domestic water supply by the money value of the persons served (page 183), which is very much the same basis as that used (page 235) to figure the value of alfalfa by the value of the pork it will produce.

The lawyer who wishes an introduction into general ideas of water engineering (and lawyers who have work in that line should have some idea of it) will find Professor Newell's work an authoritative treatise upon these engineering matters, well and attractively written.

SAMUEL C. WIEL.

HARVEY HUMPHREY BAKER, UPBUILDER OF THE JUVENILE COURT. By the Judge Baker Foundation. Concord, N. H.: The Rumford Press. 1920. pp. 133.

This little volume, the first of a series of publications to be issued by the Judge Baker Foundation, is primarily a memorial to the pioneer Judge of the Boston Juvenile Court. It is consequently somewhat varied in content, containing not only Judge Baker's review of the first five years' work, and a reprint of his article on the procedure of the Boston Juvenile Court, but also several other contributions. These last consist of a biographical tribute to Judge Baker by Roy M. Cushman, a series of statistics, for purposes of comparison, of the second five years' work, and a brief article on the work of the Judge Baker Foundation by William Healy and Augusta F. Bronner, managing director, and assistant managing director respectively, of the Foundation. The book therefore makes a varied appeal, to those interested in the personality of Judge Baker, to those who desire information on the actual operation of a notable Juvenile Court, and to those who are following the development of case diagnosis and treatment of delinquency.

The Juvenile Court, like many of the children with whom it deals, presents a problem in heredity. So far as the court is descended from the equitable jurisdiction of the courts, as *parens patriae*, it is a conspicuous success. The informal procedure, the fatherly attitude of the judge, the painstaking inquiry by doctors and psychologists to ascertain the causative factors of the delinquency, the free hand of the judge in devising remedial or protective measures, all make for the development of useful citizens and the consequent diminution of crime. On the other hand, so far as the court is a child of the criminal law, it carries within it the known weaknesses of its parent.

Conspicuous among these weaknesses is the matter of appeal, discussed at length by Judge Baker. In Massachusetts an absolute right of appeal exists in Juvenile Court cases and the judge must solemnly advise the child of this right. The result is that appeals are often taken in the most serious cases, where the judgment, skill and knowledge of the Juvenile Court might be employed best for the child's benefit or for the protection of the community. Once the ponderous machinery of the criminal law is invoked, the chances of constructive action become almost zero. For many reasons the district attorney does not like prosecuting children; for obvious reasons, a jury, saturated in the atmosphere of the criminal court, is unlikely to convict a child; and if the case finally does reach the Superior Court judge for disposition, the matter does not receive the careful consideration which the Juvenile Court is prepared to give. Thus